

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MICHAEL GADDY,

Plaintiff,

No. C 13-5338 PJH (PR)

v.

**ORDER OF DISMISSAL**

R.E. BARNES, et. al.,

Defendants.

Plaintiff, a state prisoner, has filed a civil rights action. Plaintiff was sent a notice that he had not paid the filing fee or properly applied for leave to proceed in forma pauperis ("IFP"). He was allowed twenty-eight days to either pay the fee or file a proper application. More than twenty-eight days has passed and plaintiff has not paid the fee or filed a proper application to proceed IFP. Therefore, this case is **DISMISSED** without prejudice. The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: January 6, 2014.

  
PHYLLIS J. HAMILTON  
United States District Judge

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